COLORADO SPRINGS GAZETTE.

NUMBER 5301

COLORADO SPRINGS, COLO., TUESDAY, SEPTEMBER 23, 1890.

PRICE FIVE CENTS.

DEMOCRATS' NOMINEE.

Indications Point to Myron Reed or Judge Yeoman.

Southern Delegates Generally in Favor of J. B. Grant.

Arapahoe Democrats Elect Unpledged Delegates.

Slavin and McAuliffe Arrested by London Police.

Arapahoe Democrats.

DENVER, September 22 The democratic county convention was called to order in Turner hall at 10 this morning by F. P. Arbuckle, chairman of the county committee. A. B. McKinley was chosen temporary chairman and a committee on credentials appointed, after which the convention took a recess until 3 o'clock.

By the election of McKinley as temporary chairman the pledged delegates, or in other words, those supporting Lafe Pence for the nomination for governor, are completely snowed under. There are no indications as yet as to who will head the ticket.

The convention to-night adopted the report of the committee on credentials, nominated delegates to the state convention and adjourned until Saturday, when the legislative ticket will be nominated. Indications to-night are that the democratic nominee for governor will be either Myron Reed, of Denver, or Judge Yeoman, of Trinidad.

The South's [illegible].

CUCHARAS, Colo., September 22. A concensus of the choice of delegates to the democratic state convention from eighteen southern Colorado counties would indicate the nomination of the following ticket: James B. Grant for governor, James M. Jolin, lieutenant governor, Alva Adams, state treasurer, and Myron Reed for congress.

The Fighters [illegible].

LONDON, September 22 Slavin and McAuliffe have both been arrested. McAuliffe was arrested at his lodgings in this city. Slavin was arrested on his arrival from his training quarters at Dover.

Upon his arrival at the railway station, Slavin entered a cab and was immediately placed under arrest. He was conveyed quietly to the [illegible] police station where both prisoners were arraigned and bound over in £3000 to appear to-morrow.

LONDON, September 22. Richard K. Fox, of New York, in an interview, denounced the arrest of Slavin and McAuliffe as an outrage. He said it was not proposed to have a prize fight, but only a limited round contest with ordinary gloves, and there was no reason why the police should interfere. Both men were in splendid condition and anxious to have a fair contest, and the police have no reason to anticipate a breach of the peace. The fight was nothing but what often occurs openly in England and America.

[illegible], proprietor of the Ormonde club, said he believed the management of the Pelican club at the bottom of the matter. If the fight had been arranged by the fashionable [illegible] club, the police would not have interfered. In his opinion the Pelicans were jealous, and he had noticed all along they would try to stop the fight. He did not believe there was anything "snide" about the two fighters, who were both anxious to see which was the better man.

LONDON, September 22. In court, the police inspector, justifying the arrest, said that it was to be a genuine prize fight. He produced a copy of the articles, and said the gloves exhibited in the windows of a sporting paper, were softer than ordinary gloves and were thinned around the knuckles. The inspector denied that the police had been incited. The magistrate directed the police to produce the gloves before finally deciding as to the illegality of the fight. He added if, in the meantime the prisoners should venture to proceed with the fight, he would deal with them severely. The suddenness of the arrest prevented the fighters from obtaining counsel. To morrow the legal questions will be argued. At a meeting of the Ormonde club to-night it was decided that if an adverse decision was rendered the match would be decided on the continent.

NEW YORK September 22 A special cable to the Police Gazette says: Many rumors are being circulated about the fight. Billy Madden claims Slavin is afraid of the American, and believes he did not want to meet him. A well known American says the arrest of McAuliffe is due to the fact that Slavin has trained off, and those who backed him had the American arrested to save their money. Crichton T[illegible], of the Ormonde club, attributes McAuliffe's arrest to the fact that the Prince of Wales was going to attend the fight.

At a meeting of the Pelican Club to-day, Lord Lonsdale and Richard K. Fox of New York decided that rather than see the match fall through they would, if the authorities permit, put up between them the same purse offered by the Ormonde club and bring the fight off on the continent.

Nearing An End.

WASHINGTON, September 22 At a late hour to night it was the confident expectation of republican conferees on the tariff bill that Wednesday, or Thursday at the latest, will witness the opening debate on the conference report. While there are disputed questions of the most importance, sugar, binding twine and steel duties, not settled; the conferees are near enough to warrant them in saying they have no doubt some basis of agreement will be reached to-morrow. The bonding period, about which there has been so much talk, has been definitely settled for February. There is, it is thought, good reason to predict the free sugar standard will be placed at thirteen and not at sixteen, as proposed by the house; that a compromise generally favorable to the house rates will be the outcome of the disputes over the various items on the metal schedule, and that binding twine also will be a subject of compromise.

Southern republican congressmen have adopted resolutions declaring it essential to the interests of their constituents that the tax on tobacco should be left as fixed by the house.

Shot [illegible].

ANNAPOLIS, [illegible] The [illegible] shots from an 8-inch gun were fired this morning at the naval proving ground in the presence of [illegible] the naval board, at the [illegible] plate [illegible] for naval vessels. The two first named are French plates, the last plate the armor used on English ships of war. The nickel plate stood the test, as it did the first test last week. The best of three English plates was battered to pieces. Almost the whole of a three inch steel plating was carried from its iron backing. The shot went clear through the iron backing, also the oak supporters, and came out of a mound of earth twenty feet back of the plates. The iron backing was not split, but the shot went through it. The French plates were not penetrated entirely. The Creuzot plate was penetrated and cracked from circumference to centre. The nickel was penetrated, but intact. The Cammel plate was wrecked.

The Site Settled.

CHICAGO, September 22 The park commissioners this morning acceded to the request of the national commissioners to allow the use of Washington park for the World's fair, in addition to Jackson park and Midway Plaisance. This practically settles the vexed site question to the satisfaction of the national commission.

At the opening of the session this morning the commission passed resolutions of regret at the death of Governor Stevenson, of Nevada.

CHICAGO, September 22 The World's fair site question has been settled by to day's action. In the morning the South park commissioners agreed to add Washington park to the proposed South park system, already offered to the commission. This was in accordance with the resolution adopted by the national commission last Saturday. At this afternoon's session of the national commission the amended site proposition was presented, and unanimously accepted. The site thus provided for includes Washington and Jackson parks, Midway Plaisance connecting them and Lake Front park, in all about one thousand acres. In a sense the chosen site is one great unit, comprising as it does, the entire South park system of Chicago.

The Tariff Conference.

WASHINGTON, September 22 Although a meeting of the conference committee on the tariff bill was called for this morning, when the hour of meeting arrived the democratic members were notified that there would be no meeting. The reason for the postponement was a desire on the part of the republican conferees to consult further among themselves. It appears that no progress has been made since Saturday in the disposition of sugar, binding twine, bonded period and metal amendments, but that these are in such shape that if an agreement can be reached upon one, probably it will also result in an agreement upon the others.

A [illegible] Corpse.

CHICAGO, September 22. The body of Frank Denufrio, the son of a well-known Italian, is lying in the office of the Wells, Fargo Express company. Denufrio was murdered by footpads near Pueblo, Colo., and robbed of a large sum. Although the body is in Chicago the date of the funeral can not be ascertained, for the reason that there are charges which the father of the murdered boy refuses to pay and which are practically a mortgage on the body in favor of a firm of Pueblo undertakers. The express company cannot deliver the body until the charges are paid. The father refuses to pay the charges, which he considers unjust, and the health commissioner will probably consider it his duty to order the interment of the body. Just what the outcome will be is a matter of conjecture. The Pueblo undertaker who took charge of the body, placed it in a plain white pine casket and forwarded it to Chicago with C. O. D. charge of $375. The father, believing the charges exorbitant, has employed an attorney to endeavor to get them reduced. The agent for the express company took out a permit for burial this morning as the body had begun to be offensive. The matter will probably be settled by the company interring the body.

[illegible] of Abolitionists.

BOSTON, September 22 To day the twenty-eighth anniversary of the issuing of the emancipation proclamation by President Lincoln, the second annual reunion of old abolitionists, began here. Men and women who had been devoted to the agitation were in attendance. W. H. Dupree, the chairman, delivered an address of welcome. Hon Frederick Douglass, who was enthusiastically received, addressed the assemblage in a brief speech. In closing he declared there was no race problem in this nation and the only problem was to make this nation live up to the methods of solution which it had proclaimed. The afternoon and evening were occupied in reading letters from old abolitionists and addresses.

Boucicault's Funeral.

NEW YORK, September 22 The funeral of Dion Boucicault took place this morning in the Church of the Transfiguration, better known as the "Little Church Around the Corner." Never before has that edifice (so many times the scene of actors' funerals) held a larger congregation than that assembled at Boucicault's obsequies. Rev. Dr. Houghton and his assistant, Father Prescott, conducted the services, which were the simple rites of the Episcopal church. There were floral tributes, many and beautiful. The remains were placed in a vault in Woodlawn cemetery.

Utah Judges Appointed.

CRESSON SPRINGS, Pa., September 22 The president sent the following nominations to the senate this morning. Probate judges for Utah: Francis L. Dagenett, Washington county; Henry Shields, Summit county; Charles H. Herman, Tooele county; Jacob Johnson, San Pete county; Stephen R. Frazel, Juab county; Hector W. Haight, Davis county, William Goodwin, Cache county; Thos S. Watson, Wasatch county.

Fired Into a Crowd.

LONDON, September 22. Later advices from Goa, India, state that 18 persons were killed and fifty wounded in an election riot in that place by Portuguese troops who fired on a crowd of republicans. The Portuguese residents of Bombay have resolved to appeal to England unless the Portuguese governor redresses their grievances.

Work of [illegible].

WASHINGTON, September 22 The report of Commissioner Mitchell, of the bureau of patents, for the fiscal year ended June 30, shows 46,140 applications and caveats were received, as against 42,047 for the previous year. Receipts of the office for the year were $1,347,203, expenditures $1,081,175.

A Narrow Escape.

WINDSOR, Ont., September 22. It has been learned that a two-inch dynamite cartridge was found fastened to the Michigan Central track Saturday afternoon and removed just ten minutes before the limited express came along. It contained enough explosive to have blown the whole train to pieces.

Destroyed by Fire.

[illegible], Sept. 22. The village of [illegible] in the Canton of St. Gall is on fire. [illegible] have already [illegible] of life is reported. The people are destitute.

CITY'S WATER SUPPLY.

Some Difficulties Regarding Our Supply of Water

Terminated by a Decision of Judge Campbell's.

The City Can Purchase Rights on the Fountain.

Interesting Discussion of Law Points Involved.

It will be remembered that last month a case was presented Judge Campbell, of the district court entitled Wm. M. Strickler vs. The City of Colorado Springs, designed to test certain questions regarding water rights, important among which was the right of the city to purchase water rights independent of the land for which they were appropriated. The action was tried to the court on September 5th without a jury upon an agreed statement of facts. This agreed statement was printed in the GAZETTE in full at the time of starting the suit. Judge Campbell yesterday filed his decision with the clerk as follows.

The affidavits of the parties show that the controversy is a real one, and I think that the facts agreed upon fairly call for a decision of the legal questions submitted for determination. In the absence of decisions in point by our own supreme court as to the questions proposed, it is with much hesitation and embarrassment that their consideration is attempted, and with some misgivings that the conclusions reached are announced, yet, after elaborate argument by learned counsel, and due consideration, the following conclusions are reached.

In the case of the Broadmoor Dairy company and Matthews vs. The City of Colorado Springs, lately tried by this court, some of the questions of law involved in this controversy were passed upon there, and no reason [illegible] presented here for a ruling different from the one therein made, and reference is made to the opinion filed in that case.

By reference to the agreed statement of facts and the records recited in the agreement, it appears that all the rights involved in this action were acquired prior to the adoption of our constitution, and, while this may not affect the questions to be decided here, it may be well to keep this in mind.

The question of what is a stream and tributaries and the doctrine applicable thereto was not fully discussed in that case, and for that reason it may be permitted me to state my reasons for the holding which was made. Ruxton creek has always been regarded as a tributary of the Fountain creek and while the parties do not here specifically call it a tributary, yet the facts show that it must be one. If it is not, then it is a part of the main stream itself, and, in either case, the same rules are applicable.

The legislature began, in 1879, to divide the state into water districts and by the first act, the Tenth water district was made to constitute all lands irrigated by ditches taking water from the Fountain creek and its tributaries within the limits of El Paso county. While the entire state was not thus divided into water districts, by subsequent acts the legislature has substantially done so. No change has been made in District No. 10 It is fair to presume that the entire field has now been covered and that the legislative will has been fully expressed. This shows that the legislature did not consider that there were any independent streams other than the Fountain, within the boundaries of El Paso county. If so, it would have provided for an adjudication of the priority of ditches thereupon. It must follow, if the legislature has arbitrary power to say what is a tributary and what is a main or principal stream, that the Ruxton is a tributary of the Fountain. Without deciding that the legislature has, under all circumstances, this absolute power, it is sufficient for the purposes of this case to say that, in my judgment, the Ruxton, as a matter of fact, is a tributary of the Fountain and would be so considered in the absence of an act of the legislature so declaring. The question, then, is, upon the first proposition of law submitted. A principal stream is made up of its tributaries. Divert the waters of the Ruxton and the volume of the water of the Fountain would be diminished nearly or quite one-half. If defendant's position is correct, that it can take all the waters of the Ruxton, then the ditch owners living in the valley of the Fountain, whose ditches take water directly from the Fountain below the confluence of the Ruxton therewith, are deprived of about one half of the amount of water which, for years prior to the city's first diversion, they had been using upon their lands. This cannot be equitable. If the power to say what is a principal and what is a tributary stream is purely arbitrary, then it should be exercised in the interest of justice, and it seems abhorrent to a sense of justice in this case to sustain the position of the defendant. It has been suggested that if my position is correct, why may not a ditch owner in Colorado on the Arkansas river near the Kansas line, in times of scarcity of water, follow up that river to a point where the Fountain enters into it and then up the Fountain and close down the headgate of a ditch of the Fountain at Colorado Springs, which is junior to the appropriation of the first mentioned owner? As a theoretical proposition, this might be done. Equity, however, might say, while the legal right exists to do this, yet, as a practical question it would refuse to grant such relief, for the waste of water in carrying the quantity to which the prior appropriator is entitled might be so great as not to warrant the interposition by equity of its benign power. This is an extreme case. Let us suppose another extreme case. The Ruxton itself is composed of a number of tributaries and is a short stream perhaps five miles long. Suppose hereafter settlers along these tributaries should divert all the waters thereof, or that new cities that may spring up along the line of the Pike's Peak railroad should build water works and divert from the Ruxton the waters of its tributaries; there would practically be no water left in the Ruxton for the city. Would the city be powerless to protect itself from their subsequent appropriations because water was taken, not directly from the main stream, but indirectly, through its tributaries, which, in fact, supply the Ruxton with its waters? It follows from the above that the prior appropriator on the Fountain is entitled to have the waters of the Ruxton flow into the Fountain creek to supply his appropriation, if needed, as against the subsequent appropriator, the Ruxton.

Second The question [illegible] the second proposition of law [illegible] in the Br[illegible] [illegible], [illegible] tically held that the [illegible] by the city of water, the [illegible] the main, [illegible] through its canal, agricultural or for irrigation. The same ruling is adhered to now, but whether my definition of a domestic use and a use for irrigation be or be not correct, whatever be the use as made by the city, whether domestic or agricultural or both, yet, if the city takes for any purpose the waters of a prior appropriator who has used it for a beneficial purpose, it must render compensation therefor. The city is a creature of the statute. Its powers are only such as are expressly conferred and necessarily implied from the powers expressly given. The statute provides that a city may build water works, take water from a natural stream to supply the same and may take the waters of a prior appropriator therefor, but if, in the taking, vested rights are materially interfered with or impaired, due compensation must be made. This clearly settles any controversy on this point, and it follows that the city must render compensation.

Third The facts do not show such an acquiescence by the prior appropriators in the acts of the defendant as now to estop them or preclude them from objecting to further diversion by the city. An equitable estoppel does not arise. The facts clearly show that many of the essential elements of an estoppel do not exist. No rights by adverse user have attached, and the statute of limitations is not satisfied. The legal reasons for this conclusion are so apparent to one who reads the tenth paragraph of the statement that further amplification is unnecessary.

Fourth The owner of a ditch, for which he has a decree, as stated in the sixth proposition, has no property rights which he did not theretofore possess. The decree but evidences the rights theretofore existing and gives to the owner, perhaps, the additional right, if right it may be called, of having the water distributed to him in times of scarcity by the water commissioner, in accordance with the provisions of the decree. Prior to the entry of the decree a ditch owner might lose all, or a portion of, his rights by an abandonment of the use. If he ceases to use the entire quantity which he had diverted, with the intention of not thereafter claiming it, as to such portion as he did not use, he would lose the right and could not, at some future time, avail himself of it to the prejudice of intervening claimants If, before the decree, this would be the doctrine, the same result would follow after its entry. If he has used less than his decree calls for he may claim damages only upon the basis of the quantity actually used. The mere provision of the decree that he is entitled to a certain quantity of water, neither guarantees him against the consequences of an abandonment, nor does it permit him to speculate in water by claiming what he never makes use of.

Fifth Can the city purchase water rights of a farmer who uses water for irrigating his crop on the Fountain below the city, and transfer the use of such water right to the city through its pipe line or canal and use the water for city purposes, as against other prior appropriators on the same stream who are in fact [illegible] right to the person from whom the right of the city is purchased, but superior to the city's right before such purchase? The plaintiff insists that such a sale and purchase can be made because the right, whatever it is, is private property, recognized as such, and neither the constitution nor the legislature can prohibit its sale. Defendant, on the contrary, holds that the water right cannot be separated from the land and sold by itself, for thereby the owner ceases to use the water for a beneficial purpose and it is thereupon abandoned and goes back to the public. It is unnecessary to say that the question here is a very important one. The first inquiry that naturally arises is as to the nature of a water right. Mr. Pomeroy says that there is a plain distinction between the appropriator's right to the water which he diverts and his right to, the canal or ditch through which the water is conveyed. The ditch itself is land, the right to the use of water is an incorporeal hereditament or easement. It is immaterial to this discussion whether the water right may or may not [illegible] appurtenant to the ditch or to the land in a conveyance of the latter. At common law sales of water rights were recognized. (See Angell on Water Courses, chap. 5, p. 244, sec. 141, sec. 144 a, and other provisions of the [illegible] chapter) these rights could be acquired by grant or by prescription which, of course, presupposes a grant. The gist of this is that an owner of land has an inherent right to grant to others any portion of or any interest in such land. He might sell the land and reserve the [illegible], or sell the easement and reserve the land. In the Wheeler [illegible] 10 Colo., 308, Justice Helm, speaking for the court, says: "After appropriation the title to this water, save, perhaps, as to the limited quantity that may be actually flowing in the consumer's ditch or lateral, remains in the general public, while the paramount right to its use, unless forfeited, continues in the appropriator." It would seem then, from this opinion, that by a valid appropriation, which it is conceded that the plaintiff has made, the right which he has acquired is the paramount right to the use of the quantity of water thus appropriated. The title to the water itself, save that portion actually flowing in the ditch, remains in the public. This paramount right is an incorporeal one, yet it is as much property as is the land, in the literal sense of that term.

Defendant insists that the constitutional provision as to the title to water in natural streams is but a recognition of the doctrine that theretofore prevailed, and that the rights of an appropriator acquired before the adoption of the constitution are precisely the same as if they were acquired thereafter. This water right, says defendant, is acquired, not by grant, but by appropriation, and therefore cannot pass by grant. It must also be used for a beneficial purpose, which, in the case at bar, is the development of plaintiff's lands in the raising of agricultural crops. The moment he ceases thus to use it and attempts to sell and convey it without at the same time selling and conveying with it the land to irrigate which it was appropriated, he ceases to use it for a beneficial purpose, and hence the right is abandoned. Defendant also says that to permit such a sale would make the water an article of commerce, mere merchandise, and would permit of speculation in water. It is true that Justice Elliott in Platte Water company vs. Northern Colorado I. company, 12 Colo., 531, says that: "From the earliest times in Colorado rights to the beneficial use of water from natural streams have been acquired by diversion through prior appropriation rather than by grant," but that part [illegible] regarding a claim to water made by one of the parties based on a legislative grant. It by no means follows that originally these water rights are acquired by appropriation that such rights [illegible] unless acquired by grant, may not pass by grant. The defendant would [illegible], that they may by grant if the land is conveyed in connection with [illegible] If they may be so [illegible] by appropriation then a new appropriation [illegible] be made when the original appropriator dies, and this would be absurd. In Fuller vs Swan River P. M. Co. 12 Colo., 12, our [illegible] held that the "rule that in the absence of injurious consequences [illegible] day change which the [illegible] the owner of a water [illegible] to [illegible] is legal and [illegible] under which the [illegible] be fol-

(CONTINUED ON THIRD PAGE.)

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THE GAZETTE.

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THE GAZETTE PRINTING CO.

DAILY [illegible]

WEEKLY [illegible]

ADVERTISING [illegible]

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All persons having advertisements in the paper and desiring them discontinued will please make it known at the business office, or [illegible] they will be properly charged [illegible] We only hold ourselves responsible for advertisements continuing in the paper until ordered out and paid for.

No claims are allowed against employes of the Gazette to offset any of our accounts.

All advertisements for the WEEKLY GAZETTE must be handed in not later than Thursday noon.

Advertising agents are respectfully notified that we do not want any advertising from them.

E. W. STEELE,
Manager of the Gazette.

REPUBLICAN STATE TICKET.

For Representative in the Fifty-Second Congress,
HOSEA TOWNSEND.

For Governor,
JOHN L. ROUTT.

For Lieutenant Governor,
W. W. STORY.

For State Treasurer,
JOHN H. FESSLER.

For Secretary of State,
EDWIN J. EATON.

For Auditor of State,
JOHN M. HENDERSON

For Attorney General,
SAMUEL W. JONES.

For Superintendent of Public Instruction,
FRED DICK.

For Regents of the State University,
O. J. PFEIFFER,
W. H. COCHRANE.

REPUBLICAN COUNTY TICKET.

For State Senator,
A. A. McGOVNEY.

For Representatives,
J. E. REYNOLDS,
F. F. CASTELLO.

For County Commissioner,
J. C. PLUMB.

Judge Campbell rendered a decision yesterday in the water cases, which makes it clear sailing for the city council and the citizens' committee. The decision will repay a careful reading.

Ex Governor Foster has been nominated for congress in Ohio in a district where the democrats have thirteen hundred majority. Charley Foster was often put in democratic districts, but he usually got away with the democratic majority. He is likely to this time.

The nomination of Hosea Townsend is a very worthy tribute to the most industrious representative Colorado has ever had. Those who have not known Mr. Townsend in Washington hardly realize the amount of work that he performs. His salary does not justify him in hiring a secretary. As a result he usually starts in his day's work at six o'clock in the morning. His first work is to reply to correspondents. This usually occupies his time until the departments are open. He then, in answer to numerous requests for assistance, visits the various departments and goes down to the capitol in time to attend the committee meeting. Since going to Washington he has given on an average ten to twelve hours a day to his duties as congressman. He is the right man in the right place. We do not need a great statesman, but a man who can look after the business of the state of Colorado, and no man in the house has done this better than Mr. Townsend.

Reading the proceedings of the late republican state convention one would naturally think that it was completely managed by the gang. But those familiar with the inside workings of the convention know that the gang, so called, obtained very little that it wanted. Though its leading members took a leading part in the convention, yet they were compelled so often to abate their wishes that they may be said to have suffered as many defeats as they won victories. It was unfortunate that so many candidates were nominated who have suspicious connections. The objection is not against the men themselves, who as a general thing are men of personal honor, but the objection is to the supporters of some of these men and their past affiliations. If all the names on the ticket proposed are to stay on, Fessler cannot too soon write his letter pledging his course regarding interest, and Jones and Dick cannot too soon promulgate some policy regarding the management of the state lands, which shall secure the best prices when sold. The trouble with Jones last year seemed to be that he found the law that was helpful to the criminal rather than to the state. Perhaps he quoted the law correctly, but it is generally doubted. It is well known that we had abundance of proof of corruption, but the attorney general always seemed to find a way which would prevent our recovering the money or punishing the criminals.

There are very few conscientious voters who are allied with either of the great parties who do not at some time consider at least the propriety of voting an opposition ticket. This is perhaps more prevalent in the republican party than in the democratic party, for the reason that the members of the republican party have usually been men of more patriotic views than members of the democratic party. They have become republicans, not because they were born republicans, but because that party provided most for the principles that they believed in. The members of the democratic party have, on the other hand, as a general thing, been loyal to a party and not to any set of principles, and hence a widespread democratic bolt is unknown. In all our large cities the foreign vote usually goes with the democracy and this undoubtedly has its influence on the party. It is only fair to state, however, in addition, that in the campaign of 1888, the majority of the few men who were highly educated voted the democratic ticket. The democratic party practically has existed from the foundation of the government. Its original name was "republican," but still its organization has been kept up during this whole time. This shows the great loyalty of the members to the party. On the other hand, the republican party is made up of a number of "bolts." The first bolters bolted the whig party in 1848 and on the foundations of this bolt is built up the republican party. Some of the "straight outs," who are always looking for a way to force a conscientious voter to support a bad man, resent contemporary bolters, not remembering that the republican party with its lofty principles of free speech and free ballot has always favored a change in party relations where principle required it. This cannot be said to be to any extent true of the democratic party.

Fifty-First Congress.

SENATE.

WASHINGTON, September 22. The senate passed a number of bills on the calendar, including the senate bill to change the boundaries of the Uncompahgre reservation. [This is a modification of the bill having the same title which was vetoed by the president.]

Plumb offered a resolution, which was agreed to, calling on the secretary of the interior to report whether lands granted the state of California on certain conditions, by the act of June 30, '64 (Yosemite valley and Mariposa big-tree grant) had been spoliated or otherwise diverted from the public use contemplated by the grant.

On the joint resolution proposing an amendment to the constitution in relation to the manufacture, importation, exportation, transportation and sale of alcoholic spirits, Blair called for a vote.

Cockrell asked that the committee reports be read, and the reading occupied what was left of the hour assigned to the calendar, and no vote was taken on the resolution.

The senate then resumed consideration of the bill to define and regulate the jurisdiction of courts of the United States, the pending question being on Daniel's amendment, extending the jurisdiction of the supreme court. It was rejected.

Vest offered a substitute for the bill, proposing three divisions of the supreme court, of three justices each, the chief justice to make assignments to these divisions; that all final decisions of these divisions be considered by the court en banc and shall require the concurrence of five justices. Vest did not insist on a vote on his amendment and the bill was reported from committee of the whole to the senate, which went into executive session and adjourned without disposing of it.

HOUSE.

O'Ferrall, of Virginia, and Smith, of Arizona, were the only democrats in the hall when the house was called to order. The clerk (under the direction of the speaker) called the roll on the approval of Friday's journal. The vote resulted, yeas 138, nays nothing; no quorum. A call of the house was ordered and 159 members reported; still no quorum.

On motion of McKinley the house adjourned.

A republican caucus was announced to be held immediately.

Stock Market.

NEW YORK, September 22. The stock market opened lower this morning. Notwithstanding efforts to rally the market the weakness increased and the lowest prices of the day were reached in the last hour. North American was down 4, Union Pacific 2½, Rock Island 2.

Adams Ex.	147	S. L. & S. F.	32
American Exp.	113	Ft. Worth	56
Central Pacific	31	St. Paul	75
C. & A.	19½	Tex. Pacific	19
Preferred		U. P.	47½
C. B. & Q.	86½	U. S. Ex.	65
Chi. Pacific & W.	104½	Wells Fargo Ex.	140
D. & R. G.	19½	W. Union	88½
Preferred	57	Colo. Coal	68½
East Tenn.		Hock. Val.	10½
2d preferred		Iron Silver	136
Ft. Wayne	177	Quicksilver	6½
Ft. Worth & D. C.		Preferred	41
Illinois Central	120½	Adams	4
Kan. & Tex.	17½	Sutro	3
Mo. Pacific	78½	Atchison	40½
Northern Pacific	22½	D. T. & G. Southern	2½
Preferred	73½	Gen. Electric	123
O. & N. W.	147½	4½s registered	108½
Preferred	143	4s coupons	124
N. Y. C.	115½	4½s coupons	108½
Pacific Mail	47	Pacific 6s of 95	114
Rock Island	111	Tenn. 6s	111
Central Pacific		Mich. Central	
Del. & Hud.	157	Lake Shore	106½

A Madman's Trial Over.

WOODSTOCK, Ont., September 22. The trial of Birchell for the murder of a young Englishman named Benwell, began here this morning. The prisoner was faultlessly attired and perfectly self possessed. He plead not guilty. The work of choosing a jury was concluded by noon. The counsel for the prosecution then made the opening address, setting forth the chain of evidence on which the prosecution will be based.

Money for Indians.

WASHINGTON, September 22. From the house Indian affairs committee a bill was to-day reported to pay $6,211,714 to the Choctaw and Chickasaw nations of Indians for title in fee simple to 6,210,653 acres of land in Indian territory, being land which the Indians in 1866 leased to the United States for the special purpose of locating other friendly Indians and freedmen thereon.

Ex-Congressman Dead.

WASHINGTON, September 22.—Ex Congressman Frank L. Morey of Louisiana died this morning from malarial troubles combined with brain affections.

EVANSVILLE, Ind., September 22. Wm. Heilman, ex congressman, died this afternoon, after a protracted illness.

A New Gun.

MAGDEBURG, September 22. Experiments were made to day with a new quick firing gun of 53 centimeters calibre, in the presence of officers from America, England, Russia and other countries. France was not represented. Fifty shots a minute were fired and the trial was a great success.

Has Left Town.

SANFORD, Me., September 22. Silvester Cummings, a wealthy retired manufacturer at Springvale, committed suicide this morning. He was recently indicted by the grand jury for burning a barn owned by Chas. Price. He left a note denying the burning of the barn.

To Catch a Quorum.

WASHINGTON, September 22. Representative Moore, of New Hampshire, introduced a rule in the house to day making it an offense punishable by a fine of $500 for any member, to absent himself for the purpose of breaking a quorum.

Conductors' Officers.

TOLEDO, O., September 22. The International Brotherhood of Railway Conductors re-elected Grand Chief Conductor George W. Howard, and Grand Secretary and Treasurer L. J. Carr, of Los Angeles.

Australian Troubles.

SYDNEY, September 22. The P. and O. steamer Carthage sailed to-day on time. Prospects of a conference between employes and the union are favorable. It is not expected the union will execute its extreme threats.

Strike in Stock Yards.

CHICAGO, September 22. All engineers and firemen employed by the new switching association at the stock yards struck this afternoon because two of the employes were non union men.

Strike Is Not Broken.

GLASGOW, September 22. The Scotch furnace men have struck for higher wages, and the furnaces are being blown out. The iron market is excited in consequence of the strike.

News Stopped.

LISBON, September 22. The government has given orders to stop all telegrams, both domestic and foreign, which refer in any way to political disorders in Portugal.

Silver Purchase.

WASHINGTON, September 21. Silver offered the treasury to-day aggregated 1,095,000 ounces; [illegible] 350,000 ounces at $1.118.

J. J. HAGERMAN, Pres't. CHAS. THURLOW, Vice-Pres't
J. A. HAYES, Jr., Cashier. A. SUTTON, Ass't Cashier

First National Bank

OF COLORADO SPRINGS, COLO.

CAPITAL.....$100,000
SURPLUS.....50,000

BUYS AND SELLS FOREIGN AND DOMESTIC EXCHANGE AND DOES A GENERAL BANKING BUSINESS.

DIRECTORS

E. J. EATON, J. J. HAGERMAN, CHAS. THURLOW,
LOUIS R. WHICH, A. A. McGOVNEY, B. F. CROWELL,
IRVING HOWBERT, J. A. HAYES, JR.
(p-13-1y)

Grand Opening Sale!

FALL AND WINTER

Jackets, Plush Cloaks & Jackets,

Misses' and Children's Cloth, Silk and Plush.

My Stock Has No Equal in this City.

TUESDAY MORNING SEPT. 9th I will be ready for customers and show you an immense stock of fine goods for Ladies, Misses and Children. I invite you to give me a call before purchasing. Remember the place, 24 Pike's Peak Avenue.

N. O. JOHNSON.

C. E. Krauss & Co.

HATTERS & OUTFITTERS

30 Pike's Peak Avenue.

Dunlap & Co. New York Hats.

We have the largest stock of medium and low priced Hats in the city. Our line of UNDERWEAR and HOSIERY is FIRST-CLASS, unequalled by any house in the country.

Smoking Jackets, House Coats, Bath Robes, Fancy Vests, Neckwear, Gloves, Shirts.

White and Fancy Shirts made to Order all styles.

Arrested and Fined

We threw blotters on the street during the parade, containing advertisements of our fine stock of Harness, Saddlery, Horse Clothing, but we did not know it was not right. The fine has been paid and we are still left with the big stock of TRUNKS and VALISES and other goods that will be sold cheap, as we are getting ready to go into our new quarters.

A car load of Trunks just received that will be sold cheaper than any house handling such goods in this city. A fine line of Club Bags and Valises, and all other goods in the Leather line always on hand. Old Trunks taken in exchange for new ones.

TRUNKS MADE TO ORDER.

Repairing Promptly Attended to.

H. T. O'BRIEN,

18 and 20 Pike's Peak Ave. - - - Telephone No. 75.

If you are looking for bargains it will pay you to see the following: 100 feet on Tejon street, near center of city, at $40 per front foot, which makes this the cheapest thing in the street; it is a splendid location for a terrace, and can be improved to pay 20 per cent on investment. A good house of 5 rooms, full lot, on Nevada avenue near center of city, for $2250, on monthly payments of $60. A 3 room cottage on a 50 foot lot for $1100, on $15 payments. Good lots at $300 to $400 on payments of $15, and houses of all sizes on easy payments.

REED BROS.,
28 S. Tejon Street.

Broadmoor Farm.

Telephone Nos. 153, 167.

Swiss Milk, Cream,

AND

... BUTTER. ...

Delivered daily to all parts of the city. The Swiss Cows are naturally adapted to our climate and altitude. The richness and purity of their milk must at once recommend itself to all, especially to invalids. h31tf

Colorado Springs Gardens.

(TEMPLETON'S GAP)

The Best and Purest

Milk, Butter, Cream,

From the highest types of thoroughbred registered cows.

Fall and Winter Pasture For horses and stock; near the city; stock looked after daily; fine water; reasonable terms. Visitors always welcome. For orders, telephone numbers 55 and 88, or address

F. W. ISHAM, Manager.

KNOB HILL Addition

ALFORD, BUCKER BUILDING & CO.

Commanding a Fine View of the Mountains and City.

High Ground. Natural Drainage. Freedom from Smoke and Dust. Water Mains and Abundant Water Supply.

The Martin and McGovney Ditch now being Constructed will Furnish Irrigating Water.

This fine property is only one and one-half miles from the Court House, and a trifle over one mile from the Union Depot. The construction of the new Electric Motor Line through this addition is completed, the line is in operation, and you can now ride from the business centre of the city to Knob Hill in seven minutes, in handsome cars propelled and lighted by electricity.

The Colorado Springs Improvement Company, owning this property, have contracted for the construction of several fine dwelling houses, to be built within a year, to cost not less than $5000 and upwards each.

These and other improvements soon to follow ensure a quick and substantial advance in values, and the permanent prosperity of Knob Hill.

Choice Lots and Blocks Can Now be Secured at Low Prices and on Easy Terms.

CALL ON ANY REAL ESTATE AGENT, OR ON

THE COLORADO SPRINGS

Improvement Comp'y

At the Office of D. H. BEAN, 14 N. Tejon St.,

A. A. M'GOVNEY, or E. J. EATON.

S. N. FRANCIS, Notary Public. J. G. O'BRIEN, Attorney-At-Law.

Francis & O'Brien,

The Only Agents for

LAUNDRY!

Undoubtedly the most desirable and cheapest investment on the market to-day.

Only a Limited Number of Lots For Sale!

126 Pike's Peak Avenue.

M. D. SWISHER. GEO. B. CARTER.

COAL! COAL! COAL!

SWISHER & CARTER CO.,

Canon City Lump, Cameron Lump, Robinson and Cameron Nut.

REMEMBER—the Colorado Coal is Iron Co.'s Coal still leads. BEST ON THE MARKET. Prices to meet the hard times.

No. 5 E. MUSGRAVE ST. Telephone No. 78. j21 6m

CHAS. L. TUTT & CO.,

Real Estate Dealers and Investors

102 N. TEJON ST.

The Finest Residence Property for Sale At the junction of the Tejon street extension and the Cheyenne road; only one mile from postoffice; beautiful shade trees. This tract contains nearly three acres; is surrounded by streets; has hydrant water; could be subdivided into seventeen 50 feet lots, and will increase very much in value as Tejon street will be opened this fall. Price $4500.

For Sale in Euclid Four 4-room cottages with cellars, hydrants, etc. I call your attention to this property as an investment; the houses rent for $12 per month each or $48 for the four. As they are located near the steel works, they are never vacant. Price $3800.

We have the Finest Property on Cascade Avenue for Sale In the way of vacant lots.

The Cheapest Property in Town Are the lots in Mayfair addition, for which we are sole agents.

A Very Desirable Store, House, Lot, etc. On Weber street; only five blocks north of Pike's Peak; south and east corner; rents for $65; room on lot for two more houses. Price $8000.

NO. 10 PIKE'S PEAK AVENUE, FOR SALE.

8 rooms; full lot; three blocks from Postoffice	[illegible]
4 rooms; brick; two lots; [illegible]	[illegible]
3 houses, on two lots; fine lawn	[illegible]
7 rooms; full lot; two blocks from P. O.	4100
2 frame houses, on lot 75x190	[illegible]
6 rooms; lot 6x155; fine location	2700
8 room; brick; lot 75x190	4600
A good and cheap place; only	900
4 rooms; lawn; fruit and stable; easy payments	1200
3 rooms; nice shade; three blocks from Postoffice	1500
5 rooms; lot 25x190, two blocks from Postoffice	2100
4 rooms; west side, on Motor line. A bargain	[illegible]
7 rooms; lot 150x214; cheap	4500
4 rooms; lot 50x190	2000

I have a number of cheap properties on very easy terms. Give me a call before buying. Houses and rooms for rent.

GEORGE O. NEVINS

PIANOS, ORGANS

Sewing Machines, Sheet Music and Musical Merchandise.

Pianos, Organs, Sewing Machines for Rent

Hext & Williams

24 [illegible] Street.

ELECTRIC LIGHT WIRING

AND

General Electrical Work.

J. E. JEANNE (d-16-1y) No. 18 Cheyenne Street.

Dwinell & Terrill

REAL ESTATE,

Loans and Insurance.

FOR SALE:

Full lot on Tejon St., near South Park; two dwellings on same; net's 15 per cent to owner	[illegible]
Full lot and 4 roomed house on Pike's Peak Avenue	4000
Full lot and 13 roomed house on Pike's Peak Avenue	10000
Lot 25x142; good house; nets 14 per cent; near South Park	3800
Lot 25x190; fair house; nets 18 per cent; near South Park	2100
9 roomed house; full lot; cor. Tejon and Weber	5500
100 foot corner; 3 blocks from motor line; under ditch	2100
Inside lots; 3 blocks from College reservation; well located, each	850
House and lot; good location, E. Platte	2000
4 acres and house on Cheyenne Road	3500
2 acres on Cheyenne Road	1300
Lot and house of 9 rooms, and barn; Platte Avenue	2100
House and lot in good location	1300

Above we have given a few only, of the VERY CHOICEST pieces of property for sale with us at lowest and very reasonable figures. Give us a call and we will cheerfully show you real estate listed with us for sale in all parts of the city.

Bank Building, Room 11.
TELEPHONE NO 165. d 4ly

OYSTERS! OYSTERS!

The CHICAGO BAKERY is now prepared to serve

Short Orders and Oysters!

We have always on hand fresh supply of

CAKES and CANDIES

Chicago Bakery.

Dairy in Connection.

Thos. Gough, Jr.

Next Door to Postoffice. a 4-1y

LANG HING & CO.,

IMPORTERS OF

Chinese and Japanese Goods.

All styles of fine China Silks and Imported Curiosities from Japan. All orders promptly and neatly filled.

No. 124 E. Pike's Peak Avenue. 8-13-1y

THE ANTI-NICOTINE PIPE!

25 Cents by mail.

Absolutely free from all poisonous smoke and nicotine. Ask your dealer for it. If he does not keep it order direct from

THE SANITARY TOBACCO PIPE CO.
12-3m 1027 South 8th St., Denver.

NO TROUBLE TO BUILD

Shepell's building [illegible] collection of designs that are attractive, practical and reliable. [illegible] are wanted. Mr. Shepell's publications are as follows:

Portfolio of $1,000 Houses	20 designs	$1 00
" " 1,500	20	" 2 00
" " 2,000	20	" 2 00
" " 2,500	20	" 2 00
" " 3,000	20	" 2 00
" " 4,000	20	" 2 00
" " 5,000	20	" 2 00
" " 6,000	20	" 2 00
" " 7,000	20	" 2 00
" " 10,000	21	" 2 00
" " Stables	10	" 2 00

*The first Portfolio contains [illegible] houses $1 [illegible] each.

Any 3 of the above Portfolios for $5; any 7 for $10; the complete set (20) for $15. Bound volume containing over [illegible] selected from the various portfolios, price $[illegible] while it not satisfactory.

Address R. W. SHOPPELL, Architect, 62 B'way, New York. [illegible]

MANUFACTURERS OF

Wrought Iron Fence,

Fire Escapes, Mesh Jenny Walls, Fire Signs, Window Guards, Lawn and Cemetery Orna[illegible] and a general line of Wire and Iron Work.

Hassell & Talcott,

24 N. Huerfano St. d 6m

GEORGE SLEEMAN,

CONTRACTOR AND BUILDER.

Jobbing Promptly Attended To.

216 E. PIKE'S PEAK AVE. -1-1y

IRON PIPE.
Brass and Lead
FOUNDRY!
MACHINE SHOP,
PIPE CUTTING AND THREADING.
Davis-Creswell Co.,
DENVER, COLO.
p-1

REAL ESTATE FOR SALE!

LOTS Anywhere in town or neighborhood.

HOUSES Of from 4 to 7 rooms and upward.

RANCHES Improved and unimproved, with irrigating water and city; some near town; 20 acres to over 1000 acres.

Call for what you want. Business is quiet and now is a good time to buy.

WANTED To trade houses for a lot in town.

A. W. CONACHER,
ROOM 17, - BANK BUILDING.

F. BRUSOE & SON,
CONTRACTORS,

Builders and Jobbers,

17 1-2 East 8th St. 4 6m

COLORADO SPRINGS, COLO.

The annual meeting of the stockholders of the Colorado Springs Abstract Company will be held at the office of the Secretary of the Company, No. 4 North Nevada Avenue, in the city of Colorado Springs, on the 8th day of September, 1891, at 10 o'clock, a. m., for the election of officers for the ensuing year, and for the transaction of such other business as may properly come before the meeting.

MARTIN T. NAUGHTMANN, Sec'y.
j-8-1t

Henry LeB. Wills

REAL ESTATE and INSURANCE

Notary Public

AND

COMMISSIONER OF DEEDS

For Pennsylvania and Massachusetts.

MONEY TO LOAN

On Approved Real Estate Security in sums to suit borrowers.

FOR RENT—FURNISHED.

Residence of 15 rooms with fine grounds, in north part of town. Every possible convenience, and furnishings very complete.	
Corner residence of twelve rooms on N. Cascade avenue.	
Nevada Avenue and Monument 11 rooms and 2 baths, stable and all convenience	175
W. Bijou St., near Cascade, 10 rooms; bath; stable and all convenience	150
Newly furnished house of 9 rooms, corner of Weber and Monument.	100
N. Weber St., 9 rooms; all furnished.	100
715 N. Cascade ave., 8 rooms with bath.	100
N. Cascade Avenue, corner residence, 11 rooms and bath.	100
Fine corner residence on Pike's Peak Avenue; completely furnished; for rent for a term.	
1215 North Tejon, seven rooms and bath, very complete.	60
Prettily furnished house of seven rooms and bath, on Wood Avenue; furnace and electric light. Will rent unfurnished if desired	50
W. Bijou St., 8 rooms and bath.	35
S. Wahsatch, 8 rooms; from Nov. 1st	35
19 E. Boulder, 7 rooms	30
E. Boulder St., 5 rooms.	20
5 roomed cottage on Kiowa St.	20
E. Kiowa St., 3 rooms.	20

FOR RENT—UNFURNISHED.

Corner store on Tejon St., with adjoining rooms	
N. Cascade Avenue, a fine corner residence; all conveniences.	150
13 South Nevada, 13 rooms, bath and every convenience	100
E. Dale St., a fine new residence; bath, furnace; range, and all conveniences	100
Bijou St., new brick house of twelve rooms with all modern conveniences.	140
Corner residence on N. Tejon St., facing west.	
Dale St. near Nevada Avenue, 8 rooms, bath and electric lights; entirely new	70
Store on Pike's Peak Avenue.	40
No. 14 S. Cascade Ave., 8 rooms.	40
West Huerfano St., 8 rooms	35
105 E. Dale, 6 rooms.	30
Boulder St., 6 rooms	17 50
Lot W 150 on Huerfano St.; no house, at	15
2 rooms; central.	10
207 S. Weber, 2 rooms	10
House of 5 rooms in Rosewin.	[illegible]
Office 1 in Roberson block, Tejon St.	
Office 1 in the Shettell Block on Pike's Peak avenue	

FOR SALE SPECIAL

A residence on Cache la Poudre; ninety feet front; lawn and trees; stable. Can be sold furnished if desired.

Three lots in West Bluff at $750 each. This property is much cheaper than any thing that can be bought in the vicinity.

Ranch of 160 acres and improvements for $1,400 nine miles from city.

Full lot in Bristol's Addition at a low figure.

Half block in the best residence locality running from Nevada to Weber. The figure at which this is offered makes it the best investment property in the market.

"BROADMOOR."

FOR SALE.

I have a long list of properties, improved and otherwise, which I should be pleased to show parties desiring to purchase who may favor me with a call.

HENRY LeB. WILLS,
No. 19 N. Tejon St., Colo. Springs.
TELEPHONE 44. h-19-1y

PROFESSIONAL CARDS

Cards under this head state profession and add. Any other matter will be charged for at our Want Rates.

ATTORNEYS-AT-LAW.

WALTER M. HAYES,
No. 24 S. Tejon Street, up stairs. m-6

WILLIAM HARRISON,
Office up stairs in the second building south of the County Court house.

LUNT, ARMIT & PHELPS,
Bank Building. Rooms 58 to 62 Colorado Springs, Colo. 1-21 tf

DENTISTS.

DR. W. FOWLER,
Rooms in Pickett block, Tejon St., opposite Giddings Bros. & Bent's.

DR. HENRY B. HAYDEN,
Office Rooms 22, 24 and 26, Harlman block. Residence 20 Cheyenne. Artificial Sittings for examination of the mouth and teeth given without charge.

ARCHITECT AND BUILDER.

H. D. JOHNSON,
Office at No. 14 N. Tejon Street. c1 f

W. F. DOUGLAS,
Architect, 30 N. Nevada Avenue. c-15-1

CIVIL ENGINEER.

J. S. LUCKENBACH,
Civil Engineer, Shettel Block g 10-tf

DRESSMAKERS.

MRS. C. F. BRYANT,
Fashionable Dressmaker, 528 N. Tejon St. g-11-tf

BOARD IN THE MOUNTAINS

From $8 to $10 per Week.

Large rooms; House comfortable for fall or winter; about a mile from station, postoffice telegraph office and doctor. Apply

J. R. SUTHER,
h22m* Florissant, Colo.

S. I. WICKS,

Contractor for Sewer and Waterworks.

DEALER IN

FITTINGS AND SPECIALTY.

Box 727, Colorado Springs.

The only Infallible Cure for Piles is Dr. Rex Piles Remedy. It is a remedy on an entirely new principle which is winning its way on the head of success as many people testify. It is not a salve, ointment or suppository from which you can get only temporary relief, but a cure. If your druggist does not have it do not let him persuade you to take something else as it is just as good, but insist on having Rex Piles Remedy. Sold by all druggists and by Riethmann & Co. Denver, Colo. k1-1y

MUSIC.

MRS. M. K. CARD,
Graduate of a German Conservatory. Teacher of Piano after the most thorough German Method.
TERMS: $1 Per Lesson.
Residence, 137 S. Nevada Ave. j-11 3m

Paul A. Vermehren,

Successor to Russell & Vermehren.
First and only importer and manufacturer of
FINE MEXICAN TOBACCO
A full line of Smoker's Articles
Send for price list.
527 16th St., Masonic Temple, Denver, Colo.
f-11-1

CITY MARKET.

Stark & Titus, Propr's.

(Successors to Callaway & Stark)

Wholesale and Retail Dealers in

MEATS, GAME, POULTRY, ETC.

A full line of all articles pertaining to a first class market, at prices within the reach of all. Corned Beef and Mutton a specialty. Sausage and Lard, our own make. Fish in season. By fair dealing we hope to merit a share of the patronage of our friends as well as a share of the patronage of the public.

ALL ORDERS [illegible]

LOCK BOX, 302. [illegible]

CITY'S WATER SUPPLY.

(CONTINUED FROM FIRST PAGE).

y exercised and his rights and the rights of all other persons fully protected. The right to change, so limited, includes the point of diversion and place and character of use." That is, the owner of a water right, so long as the rights of another are not injuriously affected, may change the point of diversion, may change the use from one tract of land to another, and change the use from irrigation to manufacturing, or vice versa, and still retain his priority. This, of course, does not, in so many words, hold that the owner may sell to another his water right separate from his land, but, in effect, does it not so hold? Is not the logical conclusion to this effect? The true test, it seems to me, is, will the contemplated sale injuriously affect the rights of others? If it will, the transfer may not be made. If it will not, it may be made. The very pith of the argument against such a sale lies in the fact that the owner of the water right owns at least no salable right to the water as it is running in the stream. True, but he still has a paramount right to the use of a certain quantity of water. He himself may change the place of its application, also the character of the use. He may abandon one tract of land which he has for years irrigated with this water, and apply the same quantity of water upon a different tract. Why may he not transfer to the city the right to apply the water on a different tract? He does not assume to transfer to the city any water as it runs in the natural stream, but he merely sells the right to the city to take at a point different from the one where he has been accustomed to take it, the same quantity of water which he has always taken, and use it upon a tract of land different from the one which he has always irrigated. Who is injured by it? The state is not injured. It can have no desire to work a forfeiture of a right where no injury either to itself or its citizens occurs. The policy of the law as to the waters of the natural streams is that they be economically used for a beneficial purpose, and to the prior appropriator it gives the better right. Any other rule than that hereinbefore announced would certainly hamper the transfer of private property, indeed, absolutely prohibit the sale of one important class of property. If a sale of water right separate from the land cannot be made, if, for example, by some sudden convulsion of nature, the land should disappear, or if, for any reason, it should cease to be productive or become unfit for agricultural purposes, then the owner would lose the entire property because the purchaser of the water right alone might not use the right upon other land. Defendant conceded that the plaintiff may sell both the land and the water right, and thus third persons would retain, as to other appropriators, the same priority that plaintiff had. The grantee may then change the point of diversion, place and character of the use. Why may not the sale of the water right alone be made and the grantee for himself make such changes? No one is injured, neither the state nor subsequent appropriators. If the plaintiff has over the paramount right to use 20 cubic feet of water why can they complain if the city now has the same quantity of water on its townsite, if, after such transfer, they have left the same quantity of water which they had before the sale and transfer to the city? It is possible that even if the city is able to agree with the plaintiff as to the price to be paid for his water right, it would be the better plan to proceed by condemnation under the statute, as is therein provided.

Sixth Conceding, then, that such a right may be acquired by sale or condemnation, the statute prescribes what is the basis for the measure of damages? Does the owner of the right condemned lose all his rights acquired by his said appropriation and have no rights left him as against subsequent appropriators, or does he retain such rights subject only to the superior rights of the city? It seems to me that only one answer can be given. The city would get either something or nothing. Plaintiff contends, for example, that by a condemnation of priority No. 1, its owner would step down to the foot of the list of priorities and would retain no rights as against other appropriators; in other words, the city would get an absolute right to whatever quantity of water priority No 1 was entitled to, but No. 1 would retain no rights as against junior rights.

Defendant, on the other hand, contends that the effect of the decree in a condemnation proceeding is merely to bar the compulsory vendor of a right of action against the city for future damages by reason of the city taking the water and the owner would still have the same rights to take his old priority as against the subsequent priorities.

I cannot understand the ... nature of the defendant's position. If it is sound, then the city must, in order to get any water right at all, proceed against every owner of a water right that is prior to its own, for if, by the condemnation by the city of No. 1 the owner thereof would retain his relative rights as against subsequent appropriators, the effect of the decree would be to take property from all the ... owners, and this could not be done unless they were made parties to the proceeding. By a decree following a ... proceeding, all the rights that the owner of the priority condemned has, pass to the petitioner, and the compensation must be made on the theory that all the rights of the owner as against ... the city, appropriators, as well as against the city, are gone, and pass to the city.

The value of the right possessed by the first appropriator consists in the fact that in times of scarcity he may ... his appropriation to the exclusion of all others. If the city, by condemnation, acquires this right, it then possesses the right to use the priority to the exclusion, not only of the prior owner but of all subsequent appropriations. It is a confusion of ideas and an inconsistency to say that the city gets the right to such use against all other appropriators and that the former owner of the right then condemned in turn retains the ... rights as against subsequent appropriators that he had before the city condemned his right. Such a doctrine would impose upon priorities subsequent to No. 1 burdens which theretofore did not exist.

Plaintiff's demand for the relief asked in prayers Nos. 1 and 2 will be denied, and the decree will be in accordance with the foregoing.

By the court,

[Signed] JOHN CAMPBELL, Judge.

COUNTY DEMOCRACY.

County Democrats Held a Convention of More Than Usual Interest.

The democracy in El Paso county is not very numerous nor very aggressive, and the conventions have usually been marked by their dreariness and the evident lonesomeness of those who tried to fill up the meeting place. Yesterday's convention was a little out of the usual order, however, as quite a number of persons came from the country and neighboring towns and with the republicans who looked in to enjoy the sport, made considerable of a crowd. The convention was marked by the passage of some very strong resolutions and by a very amusing scene in which one of the faithful attempted to impeach the democracy of another.

In the absence of the chairman of the central committee, Mr. C. A. Smith called the meeting to order and read the call.

Upon motion Dr. Wm. M. Strickler was elected chairman, and Mr. J. M. Brinsok secretary, both of Colorado Springs.

The convention was called ... gated body, and a motion was made that a committee on credentials be appointed, but Mr. O. P. Jackson, of Monument, made a substitute that the body resolve itself into a mass meeting. The substitute was adopted.

Upon motion of Mr. R. A. Meier a committee of five was appointed to draft a set of resolutions. The chair appointed the following as the committee: O. P. Jackson, of Monument, W. L Swift, of Colorado City, Theodore H. Lowe, of Sunview, R A Meier and H S. Rogers, of Colorado Springs.

Upon motion the chair appointed a committee to select delegates to the state convention, as follows: C A Smith, G. W. Musser, Wm Love, Alvin Ames and Joseph Wiley.

While the two committees were at work the convention took a recess of ten minutes. At the expiration of the time the committee on resolutions returned and reported the following:

Resolved, That we favor such legislation as will prevent the use of public funds for private speculation, and which will compel treasurers of such to turn all interests which may accrue thereon into the public treasury.

That we favor such legislation as will abolish the iniquitous fee system, which we believe can only be done by a democratic legislature.

That we denounce the seventh general assembly of Colorado as one of the most careless, criminal and corrupt legislative bodies that ever assembled anywhere to make laws for the people. We declare that that assembly was the willing tool of designing men, whose only object was to rob the state, disgrace its statute books, pollute its history and make its name the synonym for all that is disgraceful in politics and vicious and contaminating in morals.

That we denounce those of the present state officers who have been criminally negligent in the performance of their duties, and declare that they have designedly and wilfully used the influence of their public stations to further their own interests, and to fill not only their own pockets, but also those of their numerous friends, with money filched from the people of the state.

That for many years the various legislatures and officers of this state have been practicing a systematic robbery and that the republican ticket nominated last week at Denver is, with few exceptions, a part and parcel of the same "gang" who are willing and ready to continue these thefts.

That we denounce the present extravagant and dishonest state administration, and especially call attention to and deplore the improvident and irregular sale of school lands, in the interest of and to the favored members of the gang, acting through state officials who profit thereby.

That, inasmuch as Fred Dick and Sam W. Jones are again asking the people of this state for their suffrages, we warn the people that if these men are re-elected the same iniquitous practices will be continued and the best school land of the state bartered away for one-third of its actual value, in order that a few of the favored gang may be enriched.

That we heartily endorse the Australian ballot system, and demand such constitutional and legislative action as will secure the adoption of the said system with as little delay as possible.

We demand the return to the people of the state of Colorado of the $1,500,000 taken by the present and former state ... from them under the present existing laws which a majority of the republican state legislature has failed and refused for more than twelve years to ...

That we still, as heretofore, believe that public office is a public trust, and that we turn away with disgust from "gang" and "gang" frauds, and with the principles of Jefferson, Jackson and Tilden for our guide in the strongest, fullest and truest sense of the word, declare ourselves democrats.

The resolutions were applauded and unanimously adopted.

The committee to select delegates to the state convention reported the following list: C. A. Smith, H. H Seldomridge, R. A Meier, A L. Murray, Frank Finnegan, David McShane, H S Rogers, of Colorado Springs; M. A. Leddy, Edward Creighton, of Manitou; W. A Love and George Ehler of Colorado City; J... E Wiley of Falcon and T. H Lowe of Sunview.

The report was adopted and the names selected declared the delegates.

Mr. G. W. M... moved that a central committee be appointed, which Mr. Jackson thought should be given the power to select candidates on the county ticket if it so saw fit. Mr. H. H Artz arose at this point to speak to the question, but Mr. Mu... raised the point of order that Artz was not a democrat. He had heard him at a city convention last spring declare he was born and cradled in the republican party and that he eulogized its principles and called it the grand old party. Mr. Mu... grew quite eloquent and excited and his speech was roundly applauded.

Mr. Artz spoke in reply and was equal to the occasion, however, and in his turn threw in some eloquence that brought forth applause. Mr. Artz had been a democrat for twelve years, had been the only democrat elected to office in the county in Iowa from which he came. He called upon the chairman to state that he (Artz) had made a campaign speech in this very hall for the democrats at which he had presided. He was a simon-pure democrat but intimated that his assailant was an ... of the republicans. Since coming to the county he had affiliated with no other party and had always voted the democratic ticket. The chairman decided that Mr. Artz was competent to be a member of the great unwashed and gently replaced the cloak of democracy about his shoulders by declaring the point not well taken.

Upon motion the central committee was selected to be composed of Dr. Strickler as chairman, R. A Meier, secretary, and C. A. Smith.

Mr. A L. Murray presented the following resolution, which was adopted.

Resolved, That it is the sense of this convention in mass meeting convened, that we have unqualified confidence in the honesty and integrity of the Hon. J. B. Grant; that having carried the democracy to victory heretofore, we hereby request our delegates to use all their influence to have him again nominated for governor of the state of Colorado.

Upon motion the delegates were also instructed to place in nomination for the office of attorney general, Judge William H. Harrison, of this city, and to support him.

The delegation was instructed to cast its full vote.

Mr. O. P. Jackson moved to instruct the central committee to select a county ticket. An amendment was made that the central committee call a mass convention for this purpose if it so sees fit. A resolution was finally adopted that the central committee call a convention to select candidates after the state convention adjourned.

Upon motion the convention then adjourned.

Mr. ... H. McIntyre ... on Sun... at the water... ... of the ...

A Terrible Tumble.

Mrs Addie Couts, of this city, came very near meeting a terrible death by a fall from the rickety steps at the Seven Falls, in South Cheyenne canon, Sunday afternoon about 2 30 o'clock. She had visited the canon in company with Mr. Alex Rodney, and together they had climbed the long succession of steps leading up the precipice, down which the stream pours itself in sheets of spray. She did not look down in making the ascent and so did not become dizzy. After resting a few minutes at the top they started to come down again, and got safely as far as the point where the fall second from the bottom pours over the brink and falls 60 feet. Here Mrs. Couts felt her head beginning to swim and grasped at the railing on the right. It had been broken away and the owners of the canon had never replaced it. She lost her balance and fell over the edge with a cry to her companion for assistance. The wall of rock where she fell is almost perpendicular, and she began to slide and roll rapidly downward, most of the way under the stairway, towards the absolutely perpendicular wall nearly 50 feet high down which the lowest fall plunges into its rocky basin beneath. A fall over its edge would be almost instant death but just as she reached it her hands struck against a large beam which spans the chasm and supports the steps. With the clutch of desperation she grasped it and held on, with the whole weight of her body suspended over the rocks below. Mr. Rodney at once hastened to her rescue and by putting forth all his strength succeeded in drawing her up on to the beam and thence to the steps.

Aside from a few bad bruises she was almost uninjured, but the terrible shock completely prostrated her and she will be disabled for some time. A complaint was made at the toll gate but the person in charge assured them that people who climbed the stairs did it at their own risk. This proposition will probably be tested in the courts.

MANITOU SPRINGS.

"The Hub" is represented at the Cliff by C A. Lancaster, Esq.

H. H. Meday and family of Omaha, Neb, and Mrs Jno. R. Atudel of Ottawa, Can, are a pleasant party at the Cliff.

Mrs. Ed Van Riley, an old friend of the Cliff, and her sister Miss Mattie Buell, both of St. Joseph, Mo, are again at that popular house.

Mr. E. E Nichols, Jr., Mr. Will Nichols of the C, B, & Q, T. R Foster of Galesburg, Ill., and Dr. Chas H Williams of Chicago, are a party of hunters who started for Glenwood Springs last night and intend to be gone several weeks on a hunting and fishing excursion.

KILLED ON THE STREET.

CHICAGO, September 22. To-night a fatal street affray between brothers-in-law ended a remarkable contest for a fortune of $10,000. Alfred Richinor several years ago was the husband of a noted brothel keeper. Notwithstanding this and his unsavory record, Richinor succeeded in clandestinely working himself into the good graces of the daughter of a wealthy flour and feed dealer named Kesler. Upon Kesler's death the daughter, who seems to have been somewhat simple minded, disclosed her attachment for Richinor. Instant opposition of the family to any recognition of that worthy resulted in the prompt elopement of the couple to Montreal.

Richinor later went through the form of obtaining a divorce from the brothel keeper and having his marriage with Miss Kesler legalized. They then returned to Chicago and a feud was soon engendered between Richinor and his new wife's brother. The latter accused Richinor of being actuated solely with a desire to lay hands on the fortune of his sister. Legal struggles and personal encounters between Richinor and young Kesler have been frequent. Recently it is alleged Richinor failing in his effort to get at Kesler's patrimony hired ... to kill every member of the family.

To-night he met young Kesler on State street and attacked him with a cane. Kesler drew a revolver and fired several shots into Richinor's body, inflicting fatal injuries. Kesler gave himself up and said he had been ... to arm himself by the city ... detectives and his attorney, Gen. John C. Black. The affray took place in a crowded part of State street, and for a short time created a wild stampede.

BASE BALL.

PLAYERS' LEAGUE.

At Chicago: Boston 10, Chicago 2.
At Buffalo: Philadelphia 16, Buffalo 8.
At Cleveland: Cleveland 3, Brooklyn 1.
At Pittsburg: New York 6, Pittsburg 2.

NATIONAL LEAGUE.

At Cleveland: Cleveland 5, Boston 4.
At Cincinnati—Philadelphia 7, Cincinnati 5.
At Chicago: Chicago 14, Brooklyn 1.
At Wheeling, W. Va.: New York 8, Pittsburg 3.

AMERICAN ASSOCIATION.

At St. Louis: Rochester 4, St. Louis 1.
At Toledo: Toledo 4, Syracuse 3.

Fatal Collision.

ST. LOUIS, September 22. Train No. 5 on the St. Louis, Keokuk and Northwestern road and a suburban train collided at Forsyth to-night. Engineer Howard, of the Northwestern, was killed, twenty-five persons more or less injured and coaches of the suburban train wrecked. Only one or two of the injured are dangerously hurt.

Bismarck's Intentions.

BERLIN, September 22. Bismarck in an interview, referring to the prospect of his return to public life, said, "A seat in the reichstag entails regular attendance and the discomfort of hotel life, but in the upper house of the diet he might appear when he chooses, and he did not intend, like a bear, to sleep and lick his paws during the winter."

Denver's Base Ball Club.

DENVER, September 22. Three fifths of the Denver club was to-day sold to a wealthy Denver syndicate for five thousand dollars. Rowe and Von Horn retain the other two fifths, but have given the syndicate an option on it, which stands good until Oct. 15th.

Anti-Slavery Congress.

PARIS, September 22. The Anti Slavery conference opened to-day. President Keller welcomed the delegates. He urged the congress to arouse such a movement through the world as would definitely end slavery.

Placing the Blame.

READING, Pa., Sept. 22. The coroner's jury decided to-day that Friday's accident at Sh... was due to the negligence of the signal man on the coal train, who ... in his caboose while the train was slowing up instead of getting off and placing the proper signals for the train following.

The ... .

WASHINGTON, September ... The ... election ... the ... representatives in ... to go on with the ... at all ...

Weather Indications

WAR DEPARTMENT,
WASHINGTON, D. C., Sept. 22, 12 p. m.

Indications for twenty-four hours commencing Tuesday, Sept. 23, at 7 a. m.: For Colorado—Fair, warmer, variable winds.

"Broke Up" by Natural Causes

"You seem melancholy, Storytale. What in the world's the matter with you? Dyspepsia?"

"No'p".

"Hard up?"

"No'p"

"Well, what in time has so broken you up, old man?"

"Well, you see I spent nearly all the evening last night telling my most hair raising stories to old Bennet without the slightest effect."

"Oh, I see. Sorry your stories have gone back on you."

"Hang it, the stories were all right. I've just learned that the old duffer wears a wig."—Chicago Times.

An Advantageous Position.

Mr. Knight—From where would you like to view the parade?

Mrs. Knight. From a given point.

Mr. Knight. Where's that?

Mrs. Knight. I don't know; but I notice that all parades are so long in passing that place. Puck

WANTED.

WANTED Situation by a girl to do general housework, 209 S Cascade Ave. 1-23-2t

WANTED Board and room in private family for the winter by man and wife. Address R. H, this office stating terms. 1-23-2

WANTED Forty men at once; wages $2 50 and $2.75, board $4 50. Apply to Manitou and Pike's Peak Railway, Manitou, Colo. 1 23tf

WANTED—Situation as housekeeper, nurse; second cook or work in private family. Will do no laundry work. Inquire of E. D. Babcock, at O Brien's Harness shop, No. 18 and 20 Pike's Peak Avenue. 1t

WANTED—A deserving young man strong enough for ordinary chores, etc., wishes a position for his board. Apply at 313 East Kiowa Street. 1 23-3

WANTED Situation as first class cook by a young woman. References. Apply 214 N. Tejon Street. 1-21-3t

WANTED 40 men at once. Apply to Manitou and Pike's Peak Ry. Co., Manitou Colo. 1 17 6

WANTED—Persons having real estate for sale to list the same with Edward Ferris, 104 Pike's Peak Avenue. h 21 tf

PEALE & HAHNENKRATT—Employment Agents. 14 S. Tejon, up stairs, old stand. h 3-tf

J. M Hardy, Employment Agent, 31 ... Huerfano St. over ... Grocery. ... tf

WANTED ... at the Gazette office.

FOR SALE.

FOR SALE Shetland and Welsh ponies; ... broke, gentle to ride, $60 ...; 1 ... medium sized mules 6 and 8 years old; 1 Norman stallion. Will trade stallion and mules for mares. Apply to P. H. Sweetman, at Charles L. Tutt's ranch. 1-21-6t

FOR SALE Lots 25x100 feet in Rock Island Addition; $... ; $15 down and $10 per month ... Inquire at this office. 1-21-tf

FOR SALE A bargain; two 50 foot lots on North Weber Street, at $500 apiece. Inquire at this office. 1-21tf

FOR SALE Corner lot on South Cascade Avenue; $100, ... Inquire this office. 1-21 tf

FOR SALE Saddle pony. Inquire at Midland Block, Room 15. 1-17-tf

FOR SALE I have for sale a pair of ... ... C. W Collins No 19 Willamette Avenue. 1 11-tf

FOR SALE Part or the whole of a well selected miscellaneous library. Apply 514 North Weber Street. 1-16-tf

FOR SALE A new 6 room house with modern conveniences, ... in a nice location; price low ... Edward Ferris, 104 Pike's Peak Avenue; ground floor.

FOR SALE Desirable residences; business property, and vacant lots in all parts of the city. Edward Ferris, 104 Pike's Peak Ave, ground floor.

FOR SALE Buggy; ... stove and carpet. Apply P. O box 541. h 19-tf

FOR SALE—Choice improved and unimproved property in all parts of this city. Melroy & M... 14 N. Tejon ... Block. h-5-tf

FOR SALE ... saddle horse; good driver. 214 E. Pike's Peak Avenue.

FOR SALE Or to let unfurnished; a new ... room ... Apply to Dr. Ward, 319 North Weber St. g 24 tf

TO RENT.

TO RENT—Furnished south front rooms, with or without board ... Oak and High Street. 1 tf

TO RENT One room for housekeeping. 115 Willamette. ... tf

TO RENT—A newly furnished front room; Rest Gate. 419 North Cascade. 1-21-tf

TO RENT—No 11 South Nevada Ave.; newly ... McIntyre & Mel... 14 North Tejon Street, ... Block. 1-21-tf

TO RENT—Large sunny room; ... North Weber. 1-21-tf

TO RENT ... North Weber ... N. Tejon St 1-21-6

TO RENT Four or five ... 113 S. Tejon St 1-21-6

TO RENT Newly furnished ... hot air; ... 11½ blocks ...

TO RENT—Furnished ... single or ... with board, 216 N. Weber St. 1-20 tf

TO RENT—Furnished rooms at 311 N. Cascade Ave. 1-13-tf

TO RENT October 1st, 6 room cottage ... Cache la Poudre; ... Garfield school. Apply to F. H... P. O. box 74 Union Ice and Coal Co 1 17-tf

TO RENT—Furnished rooms, single or en suite, with board if desired; strictly first class ... Apply 703 N. Cascade Ave. 1-20 tf

TO RENT One ... room ... with ... conveniences ... Edward Ferris, 104 Pike's Peak avenue. ... tf

TO RENT—Two furnished houses; one of six rooms and one of ten ... Edward Ferris, 104 Pike's Peak Avenue. 1 4-tf

TO RENT—Newly furnished rooms, cheap, for the winter, at 107 South Nevada Ave. h1 tf

TO RENT—Furnished house; 7 rooms; hot and cold water; bath; south exposure; ... October 1st. Apply to Frank Halley, P O. box 716 Union Ice and Coal Co. 1-17-tf

TO RENT—Furnished rooms in Hagerman Block. Elevator, steam heat, electric light; bath. Inquire at Club Coffee House. ... tf

TO RENT—The ... suite of second floor offices in the city ... electric lights, and all modern conveniences. Capital ... for a lawyer or doctor. Edward Ferris, 104 Pike's Peak Avenue. g-18-tf

TO RENT—Upright and square pianos and organs. ... Music store. h-10-tf

TO RENT Square and upright pianos and organs ... 1 tf

STRAYED

STRAYED OR STOLEN On Sept. 17, one ... mare, V. N. on left hip; mane cut short ... reward T. R. Dawson, Colorado Springs. 1t

FOUND.

FOUND ... with ... Call 811 N. Weber St. 1 ... tf

LOST.

LOST—A lady's gold watch with diamond ... A liberal reward for its return to this office. ... tf

STRAYED.

STRAYED, Bay horse ... return to ... N. Nevada ... 1 5-tf

P. O. Box 707. Telephone 105.

BROADMOOR

Cheyenne : Lake!

FOR RESIDENCE TRACTS

IN THIS

FAVORITE : SUBURB

APPLY TO

Henry LeB. Wills, - Colorado Springs.

OR TO THE

Officers of the Company.

Invest in any Colorado Springs Real Estate and you will make money. A prudent man, however, will compare before deciding. You are asked to compare the Prices and all the other advantages of THE NORTH END ADDITION, with everything else offered. Principal office, No. 12 North Tejon Street.

Lihue! Lihue!

WE ARE EXCLUSIVE AGENTS FOR

SIXTEEN LOTS

In this Beautiful Addition to the City.

Price and Location Considered they are the Cheapest Lots on the Market.

Look over our list of properties. We have some bargains.

PLUMB & WALKER,

No. 18 N. Tejon St. Opera House Block

CHAS. E. WALKER,

CIVIL ENGINEER

Reservoirs and Irrigating Canals, Examinations and surveys of Coal and other Mineral lands.

No 18 N Tejon St., Opera House Block

CHAMBERLAIN'S COLIC CHOLERA AND DIARRHOEA REMEDY

Never Fails.

ESTABLISHED 1873.

El Paso County BANK.

CAPITAL PAID IN - $100,000

SURPLUS - - - - 20,000

... a general banking business. Drafts drawn on the principal cities of the United States and Europe.

WM S. JACKSON, CASHIER.

J. H. BARLOW, ASSISTANT CASHIER

MEMBERS OF THE FIRM:

W. S Jackson, C. H. White, J. H. Barlow

Geo. J. Kindel.

Brass and Iron Bedsteads

HAIR AND ... MATTRESSES A SPECIALTY

A ... for our goods or write for prices.

1633 Lawrence St. DENVER, COLO. 1-18-17

W. H. D. MERRILL,

125 N. TEJON ST

Practical Plumber & Contractor

FOR STEAM HEATING.

... Telephone No. ...

Enterprise Market House

WILCOX & CO., PROP'S.

The Sunny Side Hotel!

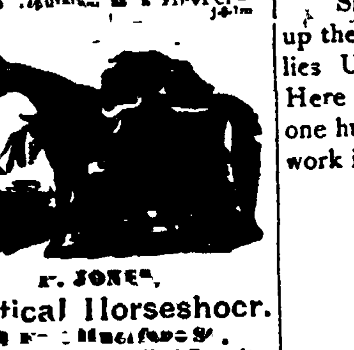
AT MANITOU,

Will continue open for the fall season at greatly reduced rates

$2.00 to $2.50 Per Day.

$10 to $12 Per Week

THE SUNNY SIDE HOUSE is one of the leading hotels of Manitou and has ... its reputation as a FIRST CLASS HOTEL

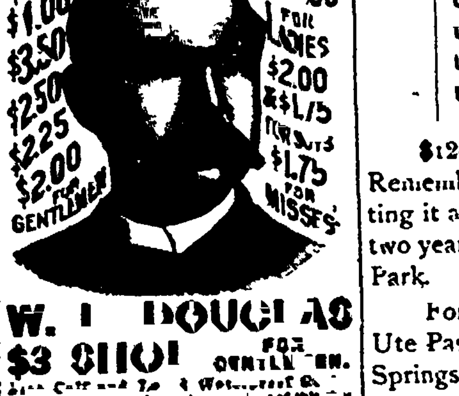


F. JONES,

Practical Horseshoer.

... Dr. Roberge's Patent Hoof Expander. ...

CAUTION ...



W. L. DOUGLAS

$3 SHOE FOR GENTLEMEN.

W. L. DOUGLAS

HOLMES & SUMNER, Agents

M. CONWAY

Boots & Shoes!

Anderson & Farrar,

REAL ESTATE & INSURANCE.

Room 7, Nichols Block,

COLORADO SPRINGS, COLO.

OCULIST AND AURIST

D. A. WALKER,

... DENVER, COLO.

WOODWORTH'S SHORTHAND COLLEGE

UTE PARK!

The Newport of the West.

Situated on the line of the Midland Railway, midway up the Ute Pass and thirteen miles from Colorado Springs lies Ute Park the grandest summer resort of Colorado. Here Nature has brought forth an ideal location, upon which one hundred thousand dollars has been expended and the work is not half done,

UTE PARK is a ... resort.
UTE PARK is a quiet and peaceful place for invalids
UTE PARK has no ... Sunday ...
UTE PARK has no surface sewer ...
UTE PARK does not plat in fifty foot lots.
UTE PARK has "the Ute," which sets the finest table in Colorado.
UTE PARK has the highest fountain in the United States
UTE PARK has a lake of five acres, and another of ... is to be built
UTE PARK is platted in half acre and acre building sites
UTE PARK has ... of level.
UTE PARK has a never failing supply of pure water.
UTE PARK owns her own water works.
UTE PARK has twenty-three miles of roads and drives

$1200 buys the choicest acre; $600 for one half acre. Remember you get nearly 9 lots 50x100 ft in one acre, platting it as you please. Terms 1-3 cash, balance in one and two years. Don't buy in any summer resort till you see Ute Park.

For plats and further information call at office of The Ute Pass Land and Water Co., 12 No. Tejon St., Colorado Springs,

Albert L. Murray, Manager, {OR AT} "The Ute," at Ute Park.

The Exchange National Bank!

CAPITAL, - - - $100,000.

SINTON BROS.' DAIRY

Fresh Milk, Cream, Skim Milk

F. F. BAXTER,

Civil Engineer

WM. LENNOX,

Henry Van Kleeck,

THE GAZETTE.

TUESDAY, SEPTEMBER 23, 1890

DAILY WEATHER REPORT.

Highest temperature	84 0
Lowest temperature	50 0
Average temperature	67 0
Average relative humidity	56 0
Precipitation	00 0
Weather	Partly cloudy

W. S. MOORE, Sergt. Sig. Corps.

The following telegrams remain undelivered at the Western Union office: J. B. Brown, Jas. E. Harris and W. L. Hayes.

Mrs. W. H. Barney and son Arthur, of Albuquerque, N. M., arrived in this city yesterday, Mrs. Barney to visit for a short time and Arthur to enter college.

The Denver and Rio Grande will sell tickets to Denver and return to-day at one fare for the round trip, good until September 23. Choice of six daily trains.

Mr. John Himebaugh is making improvements to the Spaulding house that will add much to its external appearance and increase its convenience and capacity.

The funeral of Mrs. J. B. Ellis occurred from the Christian church yesterday afternoon. The lady was a great sufferer for a long time and leaves a husband and four children.

Mr. F. L. Dana, secretary of the deep water convention and now located at Springfield, Ill., is a visitor in the city the guest of his brother, Marshal Dana. He is very much elated over the success of the bill just signed by the president appropriating money for the Galveston harbor.

Mr. Adam Ferguson, father of L. M. and H. A. Ferguson, has purchased the St. John stock of groceries in West Colorado Springs and will hereafter conduct the business. Mr. Ferguson is a well known business man of North Platte, Neb., having at one time been the postmaster of the place.

The GAZETTE is in receipt of invitations and tickets to the "Priests of Pallas" ball at Kansas City, October 4. This ball is given each year and is the leading fete of the year in the big Missouri city. It is the charity ball and always largely attended. The invitations are beautiful specimens of the lithographer's art.

On October 1st, The Antlers annex building, which stands at the corner of Cascade and Pike's Peak avenues, is to be sold to the highest bidder at public auction. The building is to be removed by the owners of the land proposing to erect some stores thereon. The character of the buildings has not yet been decided upon.

Mr. G. R. Midwood, manager of the Sunview quarries, has just finished cutting a sub-batone which shows that this stone is the finest for monumental work quarried about Colorado Springs. The surface is as smooth as a piece of unpolished but smoothed marble, while the edges are sharp and hard. There is some ornamental carving on the front of it that stands out in bold relief and shows no sign of cracking or scaling off as sandstones do. This experiment has been so successful that the owners are now going to work to develop the quarries properly. The quarries lie about ten miles west of Fountain on the old Canon City road, and they intend to build a siding and put in channeling machinery at a very early date. The stone is very dense and hard and of a good color, while the supply is inexhaustible. It is expected that it will prove very popular in Denver and this city as a building stone.

The next attraction at the opera house will be the popular actor Robert Mantell in D'Ennery's romantic drama "Monbars." The date of his appearance will be Saturday, October 4. A Philadelphia exchange says: "Mr. Mantell is one of those actors who are excellent in every part they play. In 'Monbars,' the new play he introduced at the Walnut Street theatre last night, he is as good—if not better than in 'Fedora,' and all theatre goers know how much a compliment that is. The play is from the French, and is not only interesting, but at times thrilling to the verge of sensationalism. It is, however, in the quieter scenes that Mr. Mantell's powers are seen at their best. His naturalness is so clear-cut, his stage art so perfect, that he holds complete control of an audience. Last night he was liberally and justly applauded by a house full of people. The company supporting Mr. Mantell is an excellent one."

BUSINESS LOCALS.

Ten cents per line for first insertion; five cents per line for each subsequent insertion. Advertisements to go in every other day, or once in 3 days of the week, ten cents per line for each insertion.

HALLETT & BAKER,
Undertakers,
No 7 Cascade Ave. Telephone No 16.
d-3-t

FOLDING BEDS!

Folding Beds for everybody at Fairley Bros
Folding Beds for children
Folding Beds for big folks
Mantle Folding Beds.
Cabinet Folding Beds
Upright Folding Beds in great variety.
Folding Beds from $12.50, and adding from $2 to $5, on up to 100 and 150 dollars at Fairley Bros.
The finest and most perfect working Folding Bed on the market at Fairley Bros
A complete line of the celebrated ANDREWS FOLDING BEDS, always in stock, at Fairley Bros

OYSTERS
Served at all hours
CLUB COFFEE HOUSE. j-23-tf

Allen J. Browne is prepared to give instruction in china and other decorative painting, at the studio of Mrs. Harrison, 119 E. Huerfano St., Tuesday, Thursday and Saturday, on and after Sept. 25th. For further information call on 830 E. Bijou St. j-20-tf

W. A. Davis, Undertaking, 114 N. Tejon.

IVYWILD.

Ten acre lots; 100x200 feet; on electric car line; the most desirable suburban home; on Broadway; extraordinary well water; fruit trees; ornamental shade trees; 20 feet of surface soil; and know-how.
JOHN POTTER,
b-14-tf 134 N. Tejon St.

ARE YOU LOOKING for a home where it will not require much money? If so, call and see me. I can sell you a good home on easy payments, as low as 5 per cent in advance and balance monthly payments.
HENRY BROADHURST AGENCY,
25½ N. Tejon St.

WANTED—[illegible]

BEST LINE HAIL

In the Union Pacific in Denver, [illegible] Chicago or [illegible] Pullman Sleepers, Ft. Worth and New Orleans. Tickets [illegible] from Denver. j-20-1m

The New Alamo Hotel has a number of large airy and sunny rooms, single or in suite, that families and gentlemen can secure at reasonable rates by the week. Excellent table and service is the best. Call for rates and see rooms and the many conveniences. j-21-tf

THIS ANNOUNCEMENT is for the one who wishes to invest in a genuine bargain. We have a piece of land that's under market price, located right in town and terms such that any one can handle it. Look it up.
HENRY BROADHURST AGENCY,
25½ N. Tejon St.

OYSTERS
Served at all hours.
CLUB COFFEE HOUSE. j-23-tf

FRENCH CONVERSATION CLASSES

Are now meeting at Professor J. Lincoln Schwehr's studio, at 904 North Nevada Avenue, on Mondays and Thursdays, at 4 p. m., and on Tuesdays and Fridays at 7 p. m. Classes to comprise half a dozen pupils each, and terms moderate. Private lessons given if desired. j-21-3

Miss L. E. Peabody, professional nurse; terms reasonable. 213 E. Cimarron. j-21-tf

DON'T FORGET.

If you are looking for a business location, A. J. Denton, No. 12 N. Tejon Street, can rent you a brick store and two living rooms at [illegible] per month. j-12-tf

Just received Knox Hats; fall style.
PERKINS & HOLBROOK,
Bank Block

Rooms 50c per month at the Midland Block. Steam heat and Gas. j-17-tf

D. Ashby, old at [illegible]-established jeweler in the county for reliable goods. Call and see him. Makes a specialty of fitting spectacles. All the latest improved instruments and best stock of [illegible] to suit. Prices [illegible] j-17-tf

Corner 100x190 on Cascade Avenue, $4000. Take a look at it.
A. J. DENTON,
j-12-tf 12 N. Tejon St.

$20 Round and return, for Democratic State Convention, Sept. 23, via Santa Fe route.

LOOK in our window and you will see [illegible] Furnished both furnished and [illegible] Office in particular, 6 rooms unfurnished [illegible]
HENRY BROADHURST AGENCY,
25½ N. Tejon St.

CITY AUCTIONEER.

I have all orders for work in this line with A. N. Pettis & Co., 104 S. Tejon St., up stairs. Satisfaction guaranteed. Prices reasonable.
H. H. Avery, Auctioneer.
A. N. Pettis, Clerk.
F. D. Hammond, Solicitor.
b-21-tf

OYSTERS
Served at all hours.
CLUB COFFEE HOUSE. j-23-tf

For Sale—Six lots; south and west fronts; Weber street. Apply 212 Cascade Ave.
j12 tf A. J. DENTON, 12 N. Tejon.

Mrs. E. [illegible] Wax, 416 N. Cascade Avenue, Teacher of Voice Culture and Singing. b-21-tf

OVERLAND PARK RACES, $2.00.

The Denver and Rio Grande will sell tickets to Denver and return on Oct. 8th, 9th and 11th; good to return till Oct. 12, at one fare for the round trip. Choice of 6 daily trains. Ticket Office, No. 16 N. Tejon St., Bank Building.

NOTICE.

To Students, Professors, Railway men and others. A south man is doing French, German, English [illegible] employ but. Address R. this office. j-23-3d

SPECTACLES fitted accurately at Ashby's.

10 per ct. N. Nev. & Ave. The best investment on Nevada Avenue.
j19-tf A. J. DENTON, 12 N. Tejon.

We are doing the best of our life. The finest at the Bijou Photo car.

Go to A. J. Denton, 12 N. Tejon, for bargains in all parts of the city. j12-tf

Snow & Foley, finest photographic portraits, 119 North Tejon Street. e-6-tf

Order your [illegible] and Florence [illegible] at R. Miller's, 1 N. Tejon; Knapp's [illegible] of Post Office.
UNION ICE & COAL CO.
Telephone 31. b-21-tf

WHAT IS IT?

No smoke,
No coke,
no choke
Your chimney.

Please wife,
Save strife,
Prolong life
By jiminy.

Maitland Coal!

(LUMP & NUT)

We have been appointed Sole Agents for Colo. Springs.

Union Ice and Coal Co.,

No. 28 W. Vermijo St.

ORDER BOOKS at Knapp's News Stand, next door to postoffice, and Hillhouse's grocery, 149 N. Tejon street.

We are well supplied with a large stock of *Pine Pinon Wood* and *Pine Slab Kindling*, sawed to any desired length.

Special Prices on 10 Tons or More.

UNION ICE AND COAL CO.

UNION ICE AND COAL CO.
Telephone 31. j-24-tf

COLORADO MIDLAND RAILWAY COMPANY.

SECRETARY'S OFFICE,
COLORADO SPRINGS, COLO.,
September 20th, 1890.

The annual meeting of the stockholders of the Colorado Midland Railway Company, for the election of Directors, and for the transaction of such other business as may properly come before such meeting, will be held at the office of the Company, at Colorado Springs, Colorado, at twelve (12) o'clock noon, on Monday, October 6th, 1890.

The stock transfer books will be closed at 3 o'clock, p. m., on the 24th day of September, 1890, and will remain closed until three days after the final adjournment of said meeting.
j-23-3d E. W. SELLS, Secretary.

AMERICAN NATIONAL BANK.

S. W. 16th and Vermijo Sts.
DENVER, COLO.
PAID-IN CAPITAL - - - $250,000 00
INTEREST PAID ON TIME DEPOSITS.
L. E. Fisher, P. Cooper, Vice-Pres. [illegible]

Durgin's School
OF
Dancing & Deportment,
Weber Hall.

[illegible] Friday evening. [illegible] Lessons at [illegible]

WARNING!

To all those Contemplating an Investment in Improved or Unimproved Property, we Would Say:

Do So at Once!

With an appropriation of $75,000 for a government building and a great and direct Trunk Line from Chicago to the Pacific Coast through this city assured, there is no doubt but what prices for real estate will advance in the immediate future.

Call at Our Office and Let Us Show You Some Choice Bargains.

McIntyre & Meier,

Real Estate, Loans & Insurance

14 N. Tejon St.—Bank Blk.

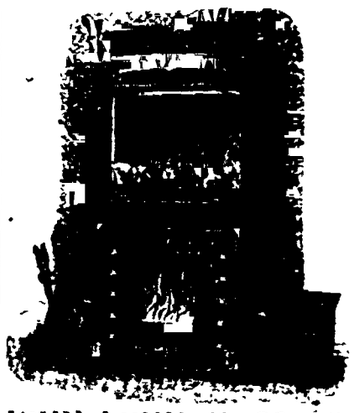
New Fall Millinery!

Majestic Caps in Silk and Worsted at Low Prices.

Fancy Dry Goods, Underwear, Hosiery and Stamped Goods for Fall and Winter. A full line of Toys and Novelties. All kinds of Material for Fancy Work.

Stamping done to order.

"Chicago Store,"
Down Town Street, West of Tejon.
P. ERICKSON.
b-11-tf



Mantels! Grates!

And Tiles,

At home for less money than you can buy them in Denver.

Notice, I am sole agent for the celebrated

ANDREWS
"GEM FOLDING-BED."
THE BEST MADE.

CALL AND SEE THEM.

JOHN LENNOX, 22 Pike's Peak Avenue.

We Are Offering Some Decided Bargains!

In Books and Stationery for the balance of September. We must make room for our extra large line of Holiday Goods soon to be arriving. We will certainly save you money. Come and see us. We are always ready to show goods and quote prices, and will not be mad if you go without buying.

"The Novelty," 27½ S. Tejon St.,
G. J. WELLINGTON, Prop.

WHY

It will pay you to buy your School Supplies from us; because, we have the largest stock, our prices are guaranteed to be as low as the lowest, and every book is fitted with a Patent Cover. Your books will last twice as long.

Don't Buy a Book that is not Covered

The Consolidated Stationery Co.

CLOAKS! CLOAKS!

We have just received the largest line of Ladies', Misses' and Children's Cloaks in the city. Full line of Plush Goods and Jackets. Every garment new. We have no last year's styles to show. Don't buy old-style Cloaks when you can get new goods for the same or less. We will make Special Prices to early buyers. NEW GOODS ARRIVING DAILY in all the DEPARTMENTS and prices the LOWEST. Give us a look before you buy. No. 10 North Tejon Street, Bank Building.

GIBSON & PAGE.

H. L. REID,
City Engineer and County Surveyor
Delos Darter, Deputy.
Surveys made and estimates given on all kinds of surveying work.
Office at Court House, Colo. Springs.
b-6-tf

JOHN POTTER
131-2 S. Tejon St.

Real Estate!

INSURANCE!

MONEY TO LOAN!

JOS. DOZIER,
Contractor and Builder,
AND AGENT FOR THE
Willer Patent Sliding Blind & Screens.
South of Court House on No. 4th

DANCING SCHOOL!

Mrs. Whitbeck's Dancing Classes will meet at her Academy, in the New Durkee block, beginning as follows:

Class for Advanced Misses and Masters—Friday October 3, at 4 p. m.

Class for Beginning Children—Saturday, October 4, at 2 p. m.

Class for Beginning Adults—Tuesday, October 7, at 8 p. m.

A weekly social for advanced adults will be held each Thursday evening, beginning October 9th at 8:30 o'clock.

Private lessons will be given by appointment.

Inquiry may be made at the Academy at any of the above hours, or at No. 414 West Kiowa street. j-20-tf

New Shoes

AT A DISCOUNT.

I will continue my DISCOUNT SALE for a few days longer. Beginning I am giving you a discount of from 10 to 20 per cent on everything. Goods all new and fresh. A full line of Men's, Women's and Children's Shoes.

E. F. GRISWOLD,
No. 8 S. Tejon Street.

No. 9 North Tejon St. **MATTHEW KENNEDY** No. 9 North Tejon St.

Real Estate :: Insurance :: Loans :: Collections

Central Office for Austin Bluff Property.

The finest Suburban Residence Location combining view of mountain and plain in the state. Beautiful parks, overgrown with large pine trees unequalled as a health location. Pure air, pure water, and plenty of it, both for domestic and irrigating purposes. No smoke! No dust! The track of the Electric Car Line is already laid from one of the parks in the center of this property to the city limits. Electric Cars are now running, bringing this property within fifteen minutes' ride from the postoffice. Several fine residences will be erected on this property at an early date. **Special inducements** offered for the next **30 days** to parties buying lots with the intention of building at once. Why locate in the smoke and dust of our city when such an opportunity is offered? Each lot contains from one to four acres. Specially adapted for fine residences. This location speaks for itself. All that we ask is an inspection of the property before purchasing.

ELECTRIC CARS Leave Corner of Pike's Peak Avenue and Tejon Street for "AUSTIN BLUFF" as Follows:

8.00, 9.24, 10.06, 10.48, 11.30 A. M., and 12.17, 12.59, 1.11, 2.23, 3.05, 3.47, 4.29, 5.11, 5.53, 6.35, 7.17 and 7.59 P. M.

Each car is met by a carriage which will convey you to the Summit, from which you get the finest view in the state.

CHOICE BUILDING LOTS IN ALL PARTS OF THE CITY.

WE HAVE THE EXCLUSIVE SALE of the choicest south front corners and lots in the market. We make a specialty of first-class properties and can readily show to strangers and others (what every business man knows) that the best is the cheapest.

LOTS ON CASCADE AVENUE—From $250 upward. The street car line is now extended to these additions, and parties looking for low priced homes on the main avenue of our city should examine these properties at once.

Insurance Written in First Class Companies at the Lowest Rates.

FOR RENT—UNFURNISHED.

VERY DESIRABLE DWELLING Corner of Pike's Peak Avenue and Weber Street. Eight rooms; two bath rooms; good cellar; furnace heat; open fires and every modern convenience; large lawn and plenty of large shade trees. Corner lot, south and east front.....

HOUSE OF EIGHT LARGE ROOMS—North Weber street, newly painted and papered throughout. Good bath room and [illegible]; all modern house. Corner lot, south and east front.....

OFFICES FOR RENT.

VERY PLEASANT OFFICES in the Midland Block.....

FOR RENT—FURNISHED.

SEVEN ROOM COTTAGE—On Platte Avenue, fronting south on Acacia Park. This is a very desirable location; good bath room; closets, etc.; all newly painted.....

FOR RENT—FURNISHED.

DESIRABLE SEVEN ROOM HOUSE On Bijou Street, near Weber. This house has bath room; good large closets; gas in kitchen and open fire places.....70

HOUSE SEVEN ROOMS Platte Avenue, fronting south on Acacia Park; very convenient locality. House painted by owner.....

HOUSE OF SEVEN LARGE ROOMS N. Tejon Street; corner lot; south and west front.....

FOR RENT—FURNISHED.

SEVEN ROOM COTTAGE—North Nevada Avenue; desirable locality; newly furnished; for rent for 8 months.....75

SIX ROOM HOUSE North Nevada Avenue, for 3 months.....60

FIVE ROOM HOUSE North Weber St., fully furnished.....50

VERY DESIRABLE SIX ROOM HOUSE North Nevada Avenue, [illegible] fully furnished, all modern conveniences; good barn, etc. Will be leased for four months; or for one year to the right party. This house is located on a lot 50x[illegible] and is a very desirable home.

FOR RENT—FURNISHED.

HOUSE OF SEVEN ROOMS North Nevada Avenue, with bath room, etc., complete and ready to be rented for four months.....

HOUSE OF NINE ROOMS—Bath, etc., all modern conveniences; barn, etc. Will be leased for one year. Inquire of Matthew Kennedy, Real Estate Dealer, No. 9 North Tejon street.

VERY DESIRABLE 11 ROOM HOUSE—North Cascade Avenue, fully furnished, all modern conveniences; good barn, etc. This house is located on a lot 50x[illegible] and is a very desirable home.

Call at my Office for Location, Prices, etc. We will cheerfully show you Property.

MATTHEW KENNEDY, Real Estate Dealer, No. 9 North Tejon Street.

Interesting Figures

FOR INVESTORS:

Lots in West Colorado Springs	300 to 800
Lots in D. R. Wood add	1200
Lots in North end add	650 to 1200
Two lots on N. Weber street	3600
A corner of two lots on N. Tejon	4800
Lots in Edwards' add	800 to 1000
Lots on the Cheyenne road, 100x400 feet	900
Houses on the Installment plan	1000 to 1800

MONEY TO LOAN IN ANY AMOUNT.

Edward Ferris,

No. 104 Pike's Peak Ave.

THE ALPA VISTA!

HOT and COLD BATHS, No. charge. Table and rooms second to none in the city.

The best accommodations for winter boarding in the city. Rooms all light and airy. Luxurious parlors, beautiful dining room, fine view of the mountains. WATER: $1.00 PER DAY—SPECIAL RATES BY THE WEEK.
H. H. STEVENS, (j-14-1m) Proprietor.

WE ARE WORKERS

LIST YOUR

FOR SALES

AND

FOR RENTS

WITH US.

Henry Broadhurst Agency,

25½ N. TEJON STREET.

At the Famous!

You will get no trash, no old stock and nothing but GOOD SHOES. Fall styles all in. Come and see our shoes at

"THE FAMOUS," - 20 S. Tejon Street,
COLORADO SPRINGS.

WILBER & WOLF

Will Open Monday, Sept. 22nd,

A SPECIAL BARGAIN IN

Ladies' Undressed Kid Gloves

[illegible]

69c PER PAIR.

WILBUR & WOLF

22 South Tejon St.

Our Fall Dress Goods

Are now nearly all in and we are prepared to show as complete and varied a stock as can be found in the state. New Dress Trimmings, Black and Colored Velvets in all the new shades. Cloaks and Jackets for Ladies and Misses a beautiful line in all the late shapes. In our Underwear department will be found the celebrated Dr. Jaeger's Sanitary Underwear for Ladies, Men and Children. All other grades of Underwear and Hosiery at popular prices.

Blankets, Comforts and Flannels all qualities and prices. New Carpets, New Rugs, both foreign and domestic, an unusual big assortment. Chenille, Velour and Lace Curtains new and novel designs from the cheapest to the best goods.

GIDDINGS BROS. & BENT

No. 21 South Tejon Street.

Interesting Announcement!

TO THE GENERAL PUBLIC:

Commencing Saturday, August 30th, I will offer a large stock of BOOTS AND SHOES damaged by smoke and water in the late fire at very low prices to dispose of the same. I will also offer my entire stock at greatly reduced prices as I wish to renew it throughout. Now is the time to get your school shoes and to stock up for Fall and Winter. The goods are from the best manufacturers in America. No shoddy goods. ALL SAME DESIRABLE GOODS.

REMEMBER the place to get your BOOTS AND SHOES is at

P. A. McCURDY'S

NO. 105 S. TEJON ST.

North End Dry Goods Store

COME IN AND SEE OUR NEW FALL GOODS!

Just in from New York. The largest stock we have yet shown, containing many SPECIAL BARGAINS, which will be sure to interest you.

40 inch Colored Henrietta, 50c; worth 90c.
24 inch Dress Flannels, 60c; all colors.
Fringed Chenille Portieres, $3.00 per pair.
Astrachan Caps, 15, 25 inch.
[illegible]

ATTRACTIVE MERCHANDISE AT LOWEST PRICES.

[illegible]
117 and 119 N. Tejon Street.